

Serial No.: 1519-045

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : MAIL STOP PETITIONS
Raymond Taurua TAUTUHI *et al.* : *Confirmation No. 2204*
U.S. Patent Application No. 10/806,335 : Group Art Unit: -----
Filed: March 23, 2004 : Examiner: -----
For: IMPROVED ROTOR AND METHODS OF USE

PETITION TO THE COMMISSIONER FOR PATENTS

Mail Stop Petitions
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

Applicants hereby petition to have the filing date of **March 23, 2004** accorded to the above-identified application. The following reasons are offered for this request:

1. It is stated in the Notice of Incomplete Nonprovisional Application mailed June 7, 2004 (copy enclosed) that the application was deposited on March 23, 2004 without drawings.
2. However, the *attached* drawings are believed to have been deposited in the USPTO at the time of filing, as evident in the concurrently filed Declaration by the undersigned. Therefore, applicants petition the Commissioner to have the attached drawings entered and the filing date of March 23, 2004 accorded to the above-identified application.
3. In the alternative, if it is the Commissioner's determination that the attached drawings were not in fact deposited on March 23, 2004, Applicants respectfully submit that drawings are not necessary for a filing date, because no drawing is required under *35 U.S.C. 113, first sentence* for the understanding of the subject matter sought to be patented. Therefore, applicants petition the Commissioner to treat the above-identified application as being complete as of the filing date of March 23, 2004, and to have the filing date of March 23, 2004 accorded to the

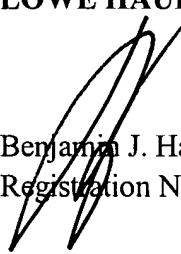
application.

No drawing is required under 35 U.S.C. 113, *first sentence* for the understanding of the subject matter sought to be patented, because the specification includes a written description of the present invention with such details that would allow a person of ordinary skill in the art to visualize the subject matter of the present invention without resorting to drawings. For example, a person of ordinary skill in the art would clearly understand the subject matter of claim 1 upon reading at least the following parts of the specification: the paragraph bridging pages 4-5, page 6, the third full paragraph, page 7, line 4 through page 8 line 11, page 9, the last paragraph, page 10, the first two paragraphs, page 11, the first paragraph, and page 15, the second and third full paragraphs from bottom. Likewise, the person of ordinary skill in the art, upon reading the entire specification, would clearly understand the subject matter of other claims, as detailed in the attached Exhibit. Furthermore, it should be noted that the drawings are schematic in nature, and that no specific structural features are depicted (and claimed) in the drawings that are not otherwise clearly disclosed in the written specification as noted above.

4. Since Applicants are entitled to the filing date of March 23, 2004 as detailed in paragraphs 2 and 3 above, a refund of the petition fee in the amount of \$65.00 is hereby requested.

Respectfully submitted,

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